BILL NO. S-81-04-22

SPECIAL ORDINANCE NO. S-114-81

AN ORDINANCE approving Addendum Number 2 in connection with the Combined Sewer Overflow for the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Addendum Number 2 to Reid, Quebe, Allison, Wilcox & Associates, Inc. in connection with the Combined Sewer Overflow, for:

> the preparation of the Combined Sewer Overflow for the City which is a pre-requisite to obtaining federal funding for the Lakeside Project. Due to circumstances beyond the control of the Engineer and the City the services to be provided under the Agreement cannot be completed within the time allowed. The Engineers have not been able to calibrate the models due to the lack of of rainfall,

in the amount of $47,461.00, as set out in the specifications, which are on file in the Office of the Board of Public Works and are by reference incorporated herein and made a part hereof, be and the same is in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY APRIL 10, 1981.

JOHN E. HOFFMAN, CITY ATTORNEY

Read the first time in full and on motion by Burns, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____M.,E.S.T.

DATE: 4-14-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.				✓	
SCHOMBURG	✓				
STIER	✓				
TALARICO	✓				

DATE: 4-28-81

Charles W. Westerman /re
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (ANNEXATION) (SPECIAL) (~~APPROPRIATION~~) ORDINANCE (RESOLUTION) No. G-114-81 on the 28th day of April, 19 81.

ATTEST: (SEAL)

Charles W. Westerman /re
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of April, 19 81, at the hour of 11:30 o'clock A. M.,E.S.T.

Charles W. Westerman /re
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 30th day of April 19 81, at the hour of 2 o'clock P. M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-81-04-22

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN ORDINANCE approving Addendum Number 2 in connection with the Combined Sewer Overflow for the City of Fort Wayne

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE ~~do~~ PASS.

PAUL M. BURNS, CHAIRMAN

VIVIAN G. SCHMIDT, VICE CHAIRMAN

BEN A. EISBART

SAMUEL J. TALARICO

ROY J. SCHOMBURG

4-28-81
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Memorandum

To Board of Public Works Date 3/18/81

From Philip R. Boller, Director of Water Resources

Subject Addendum No. 2

COPIES TO:

D. Embury
T. Pallone

The attached Addendum No. 2 for Reid, Quebe, Allison, Wilcox & Associates, Inc. has been reviewed and appears to be in order for execution by the Board.

As you know, this engineering firm is preparing the CSO Study for the City which is a prerequisite to obtaining Federal funding for the Lakeside project. Their contract to perform this service is $308,124.00 of which they have received payments in the amount of $211,395.00 with a completion date to have been March 31, 1981.

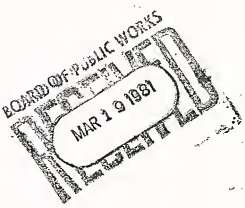
We have requested in a grant amendment an increase of $48,000.00± along with a time extension to March 31, 1982.

However, the State is on a hold on all grant submittals to EPA at this time per their instruction.

Since it is imperative that the work does not stop on this study, I am recommending the execution of this Addendum.

PRBoller

C180775



ADDENDUM NO. 2
TO THE ENGINEERING AGREEMENT OF
REID, QUEBE, ALLISON, WILCOX & ASSOCIATES, INC. AND
THE CITY OF FORT WAYNE

WHEREAS, the consulting engineering firm of Reid, Quebe, Allison, Wilcox & Associates, Inc. , hereinafter called the "Engineer," has been retained by the City of Fort Wayne, Indiana, hereinafter called the "Owner," under an Agreement dated June 25, 1979; and

WHEREAS, due to circumstances beyond the control of the Engineer and the Owner the services to be provided under the Agreement cannot be completed within the time allowed in the Agreement; and

WHEREAS, application has been made to and additional funds in the amount of $47,461.00 are expected from the U.S. Environmental Protection Agency to expand the scope of work and adjust the Engineer's compensation; and

WHEREAS, it is necessary to continue the gathering of data required in the work pending the availability of additional funds;

NOW THEREFORE, the Owner and the Engineer mutually agree that the Agreement is modified as hereinafter set forth.

SECTION 1
TIME FOR COMPLETION OF WORK

1.1 The Engineer shall continue to provide services towards the completion of the scope of work of the Agreement until the billable expenses of the Engineer, plus agreed upon Fixed Fee, equal the total compensation identified in the Agreement.

1.2 At such time as additional U.S.E.P.A. funds are granted for the completion of this work, the Owner and the Engineer shall agree, in writing, to appropriate changes to the scope of work, the time for completion and the Engineer's compensation.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum on the 12th day of March, 1981, and set their hands below.

ENGINEER:
Reid, Quebe, Allison, Wilcox & Associates, Inc.

John B. Allison
Executive Vice President

OWNER:
City of Fort Wayne, Indiana
Board of Public Works

ATTEST:

J. Edward Doyle, Sec.-Treasurer

03.12.81-0116A-5707a

Admn. Appr. _____

DIGEST SHEET

S-81-04-22

TITLE OF ORDINANCE WATER POLLUTION CONTROL ADDENDUM #2 FOR CONSULTANTS (ENGINEERING FIRM) IN PREPARING CSO STUDY FOR THE CITY. FEDERAL GRANT NO. C180775

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE ADDENDUM #2 FOR REID, QUEBE, ALLISON, WILCOX & ASSOCIATES, INC. (ENGINEERING FIRM) IN PREPARING THE CSO (COMBINED SEWER OVERFLOW) FOR THE CITY WHICH IS A PREREQUISITE TO OBTAINING FEDERAL FUNDING FOR THE LAKESIDE PROJECT. DUE TO CIRCUMSTANCES BEYOND THE CONTROL OF THE ENGINEER AND THE CITY THE SERVICES TO BE PROVIDED UNDER THE AGREEMEN CANNOT BE COMPLETED WITHIN THE TIME ALLOWED. APPLICATION HAS BEEN MADE TO AND ADDITIONAL FUNDS ARE EXPECTED FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY. THE ENGINEERS HAVE NOT BEEN ABLE TO CALIBRATE THE MODELS DUE TO THE LACK OF RAINFALL (1 INCH NEEDED).

EFFECT OF PASSAGE THE COMPLETION OF THE CSO STUDY FOR THE CITY FOR THE LAKESIDE INTERCEPTOR FUNDED BY THE EPA.

EFFECT OF NON-PASSAGE LOSS OF POSSIBLE FUNDING FOR THE LAKESIDE INTERCEPTOR.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) ADDITIONAL $47,461.00
75% E.P.A.; 10% State; 15% City Utilities.

ASSIGNED TO COMMITTEE (PRESIDENT) _____

sa

e.u.